

Regular meeting of the City Council of the City of Austin, Texas ,

Austin, Texas, August 12th 1909.

Hon A P Wooldridge, Mayor ,presiding: Roll called :

Present Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4

Absent, excused Councilman Hart 1

The Minutes of the last regular meeting were read and approved.

Petitions, memorials, etc:

By Councilman Gracy petition of Citizens of, Hyde Park asking to have the Dam of the Lake ,known as the Ney Lake ,removed and the Lake drained, etc, which was read and on motion referred to Mayor Wooldridge, Acting as Supt Police and Public Safety, by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4

Nays none

By Councilman Gracy petition of Citizens calling attention to the condition of fourth street and asking relief .The petition was read and on motion was referred to Councilman Powell for investigation and report by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4

Nays none.

Reports of City Officers :

The Mayor laid before the Council the report of the City Treasurer for the month of July 1909, which was read and on motion referred to Councilman Gracy.

The Mayor laid before the Council the report of the Plumbing Inspector for the month of July 1909, which was read and referred to the acting Supt of Police and Public Safety, by the following vote :

Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4

Nays none.

The Mayor laid before the Council a supplemental report from the City Engineer for the month of July 1909, which was read and referred to Councilman Powell by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy, & Powell 4

Nays none.

Unfinished business :

The Mayor laid before the Council an ordinance appropriating the sum of \$ 900.00 for the purpose of paying the Per Diem of the Board of Equalization. The ordinance was read the third time and passed by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew ,Gracy & Powell 4

Nays none.

The Mayor laid before the Council an ordinance appropriating the sum of \$ 2350.00 for the purpose of paying the salaries of Regular Employees of the Sanitary Dept for the year 1909. The ordinance was read the third time and passed by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4

Nays none. The Mayor laid before the Council an ordinance appropriating the sum of \$ 25,000.00 for the purpose of paying salaries of Officers and Employees for the year 1909.

*Petition Citizens
Hyde Park To Drain
Ney Lake*

*Petition Citizens Street
Work 4th Street*

*Report of City
Treasurer*

*Report Plumbing
Inspector*

Report Engineer

*Per Diem Board
Equalization*

*Salaries Regular
Employees
Sanitary Dept*

*Salaries Officers &
Employees*

The ordinance was read the third time and passed by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4

Nays none.

*Appl for Wagon
Street Dept*

The Mayor laid before the Council an ordinance appropriating the sum of \$ 162.00 for the purpose of paying for Wagon for street, ept. The ordinance was read the third time and passed by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4

Nays none.

New business:

The City Attorney submitted the following opinion, which was read and ordered filed

Austin, Texas, August 12th 1909.

The Honorable City Council,

Austin, Texas.

Gentlemen :

Some time ago Dr T R Sampson addressed me a communication, inquiring whether the property of the Austin Presbyterian Theological Seminary, situated in Block 14 and 15, Out Lot 11 Division "D", in the City of Austin, is subject to taxation.

*Opinion City
Attorney on
Taxes.*

I find that on certain lots in Block 14, is situated a School building, which is used exclusively for School purposes. On another certain lots and across a street, 80 feet in width from said School building, is a dormitory, used to accommodate the Students who may attend this Seminary, and so far as I am able to ascertain, is used for no other purpose. East of this dormitory building, and across another street, situated on lot 11, Block 15, Out lot 11, in said Division, are four residences, three of which are now occupied, and the fourth will be occupied, so I am informed, by members of the Faculty of the Seminary and their families. The Constitution and Statutes of the State exempt buildings owned by persons and used exclusively for school purposes from taxation. But in *Red vs Johnson*, 53 Tex 284, it is held that a school house used and occupied for a boarding school and in which the owner resides with his family, is not exempt from taxation. The rule announced in this case has never been disturbed, and is followed in *San Antonio vs Sealley*, 57 vs W, 688, decided in 1900, in which case the Court held that a building, in which plaintiff conducted a school and in which he resided with his family, is not used exclusively for school purposes and therefore is not exempt from taxation.

It would seem to me therefore, and it is my opinion, that the school building of the Seminary, which is used exclusively for school purposes, and the dormitory, which is a necessary adjunct to said building for said purposes, and the grounds on which they are situated, are exempt from taxation; but it also my opinion, that the buildings occupied and used by members of the faculty and their families for residences, and the lots on which they are situated, are subject to taxation.

Very respectfully yours,

J Beuldin Rector, City Attorney.

On motion the opinion was ordered filed.

The Mayor laid before the Council a communication from, D F Kellher, Cashier of the Water and Light Dept, in reply to the report of Mr Milton Morris, as auditor which was read and laid over for future consideration.

The Mayor read to the Council a communication from Mr R C Brooks upon which no

*Communication of
Kellher Cashier Water Dept
in reply to Auditor
Morris report*

action was taken.

On motion the Council recessed subject to call of the Mayor.

August 12th 1909, 3.50 P M.

The Council was called to order by the Mayor, with all members present, except Councilman Hart, excused.

On motion the Mayor was authorized to enter into a contract with Annie Jones, a femme sole, for the construction of a Storm Sewer across the N E corner of Block 30, Division "E" 2 City of Austin, Tex, by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4
Nays none.

The following appointments as Election Judges for the Election to be held August 13th 1909, viz:

F M Maddox, in the second ward vice T A Brown, removed from said ward, Fred Carleton Jr, vice W G Bell, who declines to serve. The appointments were made by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4
Nays none.

By Councilman Powell an ordinance appropriating the sum of \$ 1400.00 for the purpose of paying for storm sewer on 16th street. The ordinance was read the first time and the rule suspended and the ordinance placed on its second reading by the following vote: Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy & Powell 4
Nays none.

The ordinance was read the second time and laid over until the next meeting.

The Mayor laid before the Council a communication from Mr R W Buddington in regard to the condition of the street in front of his property, which was read and referred to Councilman Powell.

On motion the Council recessed subject to call of the Mayor.

Friday August 13th 1909.

The Council was called to order by the Mayor, with all members present. By Councilman Powell an ordinance appropriating the sum of \$ 500.00 for the purpose of paying weekly pay rolls street Dept. The ordinance was read the first time, and the rule suspended and the ordinance placed on its second reading by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy, Hart & Powell 5
Nays none.

The ordinance was read the second time and laid over until the next meeting.

By Councilman Bartholomew an ordinance appropriating the sum of \$ 15,500.00 for the purpose of paying salaries of Officers and employees Water & Light Dept for the year 1909.

The ordinance was read the first time and the rule suspended and the ordinance placed on its second reading by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy, Hart & Powell 5
Nays none.

Mayor Authorized to
Contract with Annie
Jones for Construction
of Storm Sewer across
for property

F M Maddox &
Fred Carleton Jr
appointed Election Judges.

Appropriating
Storm Sewer. 16th
Street.

Petition
R W Buddington for
Street work

Appr
\$500.00 Extra Labor

uppr
Salaries Officers &
Employees Water Light
Dept

The ordinance was read the second time and laid over until the next meeting.

Councilman Hart moved that the name of Hester Bramlett be placed upon the regular pay roll of Hospital employees as nurse at a salary of \$ 20.00 per month, which motion prevailed by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy, Hart & Powell 5
Nays none.

Councilman Powell moved that the City Attorney be requested to notify all property owners owning property fronting on West sixth street, between Guadalupe and San Antonio streets, to enter into contract with the parties who have contract to pave said block, within 5 days or condemnation proceedings will be commenced against them. The motion was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy, Hart & Powell 5
Nays none.

On motion the Council recessed.

Monday August 16th 1909: 8,30 P M.

The Council was called to order by Mayor Wooldridge, with all members present. Councilman Bartholomew nominated for Cashier of the Water & Light Dept Mr Ben F Wright, which nomination was confirmed by the following vote:

Yeas Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
Nays none.

Councilman Bartholomew nominated for Chief Book Keeper, Mr Jno S Ward, which nomination was confirmed by the following vote:
Yeas Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4

Nays none.

Councilman Bartholomew nominated for Asst Book-Keeper Mr E G Hutchings, which nomination was confirmed by the following vote:
Yeas Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
Nays none.

Councilman Bartholomew nominated for Store-Keeper Mr H W Heierman, which nomination was confirmed by the following vote:
Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
Nays none.

Councilman Bartholomew nominated Patrick Cain as Foreman Pipe laying Dept, which nomination was confirmed by the following vote:
Yeas Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
Nays none.

Councilman Bartholomew nominated Geo Fiegel Jr as Foreman Electric Lines department, which nomination was confirmed by the following vote:
Yeas Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
Nays none.

Councilman Bartholomew nominated Walter Johnson as Chief Engineer at the Water & Light Plant, which nomination was confirmed by the following vote:
Yeas Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
Nays none.

Councilman Bartholomew nominated for Keeper of Market Square Mr J O' Kane, which nomination was confirmed by the following vote:
Yeas Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
Nays none.

Hester Bramlett
placed on regular
pay roll Hospital

City Attorney to notify
property holders W
6th street to have

Ben F Wright
Confirmed as Cashier
Water & Light Dept

Jno S Ward
Confirmed as Chief
Book-keeper W & Light Dept

E G Hutchings
Confirmed as Asst
Book-keeper W & Light Dept

H W Heierman
Confirmed as Store-keeper
W & Light Dept

Patrick Cain
Confirmed as Foreman
Pipe laying Dept W & Light Dept

Geo Fiegel
Confirmed as Foreman
Electric Lines W & Light Dept

Walter Johnson
Confirmed as Chief
Engineer W & Light Dept

J O' Kane
Confirmed as Keeper
Market Square

W H Maddox &
Walter Eyres
Confirmed Meter
Readers.

Councilman Bartholomew nominated W H Maddox and Walter Eyres to be meter readers, which nominations were confirmed by the following vote:
Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
Nays none.

W H Harrison Conf.
Janitor City Hall

Councilman Bartholomew nominated for Janitor for the City Hall W H Harrison, which nomination was confirmed by the following vote:
Yeas Mayor Wooldridge, Councilmen Gracy, Hart & Powell 4
nays none.

Salary City Clerk
fixed at \$125.00 per
month

Mayor Wooldridge moved that the salary of the City Clerk be fixed at \$ 125.00 per month, from and after Sept 1st 1909, which motion prevailed by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Gracy, Hart & Powell 5
Nays none.

On motion the Council recessed subject to call of the Mayor.

Tuesday August 17th 1909.

The Council was called to order by the Mayor, with all members present.

Councilman Hart submitted bids for new wheels for Austin Hook and Ladder co, as follows, viz:

Joseph Stumpf	\$135.00
Seagraves Co	142.00

On motion the contract was awarded to the Seagraves Co. by the following vote: Yeas Mayor Wooldridge, Councilmen Bartholomew Gracy, Hart Councilman Hart then submitted bids for Painting the roof of the City Hospital, which were opened and read and on motion laid over to a future meeting for further investigation

On motion the Council adjourned.

City Clerk.

Bids for wheels for
Austin Hook & Ladder Co.
Awarded to Seagraves Co.

and Powell 5. Nays none.
Bids for painting roof
of Hospital